

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA**

<b>TABITHA MARIE SMITH (Deceased)</b>	:	
<b>(aka Tabatha Marie Colbaugh), by and</b>	:	
<b>through her surviving children</b>	:	
<b>NATHAN ALEXANDER SMITH,</b>	:	<b>No. 1:24-cv-151-DCLC-CHS</b>
<b>JE through next friend JH,</b>	:	
<b>NR through next friend SR, and</b>	:	
<b>LC through next friend EH,</b>	:	<b>JURY DEMANDED</b>
	:	
<b>and</b>	:	
	:	
<b>NATHAN ALEXANDER SMITH,</b>	:	
<b>JE through next friend JH,</b>	:	
<b>NR through next friend SR, and</b>	:	
<b>LC through next friend EH, (individually),</b>	:	
	:	
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>MEIGS COUNTY, and</b>	:	
	:	
<b>ESTATE OF ROBERT J. LEONARD</b>	:	
<b>(Deceased), by and through Neal Pinkston</b>	:	
<b>as Administrator <i>ad Litem</i>,</b>	:	
	:	
<b>Defendants.</b>	:	

**DEFENDANT MEIGS COUNTY’S UNOPPOSED MOTION FOR LEAVE TO  
FILE MOTION TO DISMISS IN EXCESS OF 25-PAGE LIMIT SET BY LOCAL RULE  
7.1**

Defendant, Meigs County (“MEIGS”), through counsel, and pursuant to E.D. TENN. L.R. 7.1(b), moves this Court to allow an additional 5 pages in its motion to dismiss the Third Amended Complaint, Docket No. 1-24-cv-00151. (DOC. 67.)

MEIGS avers that the additional pages are necessary to fully address the claims asserted by the Plaintiffs. The facts alleged in the Third Amended Complaint raise issues including both federal and state law claims which MEIGS believes require extensive discussion. Consequently,

the 25-pages limit contained in Local Rule 7.1 will not allow a complete response to the Third Amended Complaint.

MEIGS has contacted counsel for the Plaintiffs by phone on February 5, 2025, and said counsel stated they have no objection to this motion.

Wherefore, MEIGS moves this Court to extend the page limit in its response brief from 25-pages to 30-pages.

### **CERTIFICATE OF CONFERENCE OF THE PARTIES**

Pursuant to the Court's Order Governing Motions to Dismiss, ECF Filing No. 7, dated December 6, 2022, the parties have met and conferred in person and reached agreement regarding an extension of the 25-page limit for briefs contained in Local Rule 7.1.

Respectfully submitted,

**MICHEL AND WARD, P.C.**

By: /S/ David J. Ward

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*Attorneys for Defendant MEIGS*

This 5th day of February, 2025.